

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS**

DIVISION: MARSHALL

JUDGE: WILLIAM BRYSON

ALLERGAN, INC.

Plaintiff

TEVA PHARMACEUTICALS USA, INC., ET AL

Defendant

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DATE: 8//29/17

REPORTER: Shelly Holmes

CIVIL NO.: 2:15CV1455

C/R DEPUTY: Jill Veazey

Begin: 8:20, 1:34

Adjourn: 12:35, 5:36

Total Time in Court: **8 HRS 17 MINS**

Attorneys for Plaintiff: Jonathan Singer, Juanita Brooks, Claire Henry, Susan Morrison, Nitika Fiorella, Robert Oakes

Attorneys for Claimant: J.C. Rosendall, Mike Joffre, Doug Carston, Stephen Smerek, Michael Dzwonczyk, Mark Bolland, Jason Hamilton

THIS DAY CAME THE PARTIES BY THEIR ATTORNEYS AND THE FOLLOWING PROCEEDINGS WERE HAD: **BENCH TRIAL – DAY 2**

8:20 Court begins. Court addresses Parties regarding legal issues. Mr. Singer addresses Court and states objection to defense witness. Mr. Smerek responds. Court responds. Parties respond.

8:37 Mr. Carston addresses Court regarding witness scheduling.

8:40 Ms. Morrison offers exhibits. Deft Exhibits 1014, 1037, 1087 Marked & Admitted.

Ms. Morrison calls Cory Wohlbach to testify via video deposition. Playback of video depo.

8:50 Pltf Exhibits 892, 863 Marked & Admitted.

8:51 Ms. Morrison calls Kevin Hawkins to testify via video deposition. Playback of video depo.

9:02 Pltf Exhibits 868, 876, 867, 865 Marked & Admitted. Ms. Morrison calls Caroline Hill to testify via video deposition. Playback of video depo.

9:05 Pltf Exhibit 947 Marked & Admitted. Ms. Morrison calls Manoj Pananchukunnath to testify via video deposition. Playback of video depo.

9:13 Pltf Exhibits 818, 796, 800 Marked & Admitted. Ms. Morrison calls Joseph Sobecki to testify via video deposition. Playback of video depo.

9:21 Pltf Exhibits 801, 794 831 Marked & Admitted. Ms. Morrison calls Sasank Kunadharaju to testify via video deposition. Playback of video deposition.

DAVID O'TOOLE, CLERK

/s/ Jill Veazey
Deputy Clerk

✓ See Addt'l. Proceedings

9:39 Pltf Exhibits 756, 689, 685, 743, 686 Marked & Admitted – portions redacted. Ms. Morrison calls Jennifer Bowles to testify via video deposition. Playback of video depo.

9:43 Pltf Exhibits 596, 597 Marked & Admitted – portions redacted. Ms. Morrison calls Subrahmanyam Boddapati to testify via video deposition. Playback of video depo.

9:47 Pltf Exhibit 507 Marked & Admitted. Ms. Morrison calls Biswajit Pati to testify via video deposition. Playback of video depo.

9:58 Pltf Exhibits 516, 512, 507, 510, 506 Marked & Admitted – portions redacted. Ms. Morrison calls Nicholas Fleischer to testify via video deposition. Playback of video depo.

10:02 Mr. Singer calls Dr. Robert J. Noecker to testify. Witness sworn.

10:04 Direct by Mr. Oakes. 10:19 Pltf Exhibit 16I Marked & Admitted.

10:24 Court recessed.

10:38 Court resumed. Direct Continued. Pltf Exhibit 869 Marked & Admitted.

10:42 Pltf Exhibit 511 Marked & Admitted. Pltf Exhibits 525, 802 Marked & Admitted.

11:13 Cross-Exam by Mr. Joffre. 11:40 Deft Exhibit 1355 Marked & Admitted.

11:43 Re-Direct by Mr. Oakes. 11:48 Re-Cross by Mr. Joffre. Witness excused.

11:49 Mr. Singer states Plaintiff Rest.

11:50 Mr. Smerek states motion for JMOL. Mr. Singer responds. Court responds.

12:02 Mr. Singer addresses Court and states motion for a judgment of infringement. Mr. Smerek responds.

12:06 Court denies defense and pltf's motions. Mr. Rozendall addresses Court.

12:09 Mr. Dzwonczyk calls Dr. Justin Hanes to testify. Witness sworn. Direct by Mr. Dzwonczyk

12:35 Court recessed.

1:34 Court resumed. Direct of Dr. Justin Hanes continued.

1:55 Deft Exhibit 1017A Marked & Admitted. 2:22 Deft Exhibit 1291A Marked & Admitted.

2:48 Deft Exhibit 1006C Marked & Admitted. 3:03 Deft Exhibit 1305 Marked & Admitted.

3:06 Deft Exhibit 1502 Marked & Admitted.

3:12 Court recessed.

3:25 Court resumed. Cross-exam by Ms. Brooks. Pltf Exhibit 1014 Marked & Admitted.

4:33 Pltf Exhibit 1002 Marked and Admitted. Pltf Exhibit 1006 Marked & Admitted.

4:40 Re-Direct by Mr. Dzwonczyk. 4:44 Witness excused. Mr. Rozendaal addresses Court.

4:46 Mr. Rozendaal calls James Chang to testify via video deposition. Playback of video

5:18 Deft's Exhibits 1029 – 1034 & 1517 Marked & Admitted.

5:20 Mr. Rozendaal calls Kenneth Sall to testify via video deposition. Playback of video.

5:31 Mr. Rozendaal calls Timothy MacDonald to testify via video deposition. Playback of video.

5:36 Playback concluded. Court adjourned.